

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

C/A No.: _____

Eduardo Perez,

Plaintiff,

vs.

Horry Georgetown Technical
College,

Defendants.

NOTICE OF REMOVAL

28 U.S.C. § 1441, 1446

Defendant hereby gives notice of the removal of this action from the Court of Common Pleas, Horry County, South Carolina, to the United States District Court for the District of South Carolina, Florence Division. The grounds for removal are as follows:

1. Upon information and belief, the Summons and Complaint were filed in the Horry County Court of Common Pleas on or about February 27, 2024.

2. Upon information and belief, the Summons and Complaint were personally served upon Defendant on or about March 4, 2024.

3. The action is now pending in the Horry County Court of Common Pleas, designated as case number 2024-CP-26-01411, and the time within which Defendant is required by the laws of South Carolina to answer or otherwise plead has not expired.

4. The Plaintiff has alleged a claim pursuant to Title VII of the Civil Rights Act of 1964. See Exhibit A. Accordingly, this civil action is removable under 28 U.S.C. § 1441. This court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1334 because this case involves a federal question.

5. This court also has supplemental jurisdiction over any state court claims asserted by Plaintiff in the Complaint pursuant to 28 U.S.C. § 1367.

6. The Florence Division is the proper venue inasmuch as the events in controversy took place within the Florence Division.

7. Defendant has attached to this notice and filed herewith copies of pleadings and orders served upon it in this action as required by 28 U.S.C. § 1446 (A).

See Exhibit A.

8. Defendant is providing Plaintiff's counsel and the Clerk of Horry County Court of Common Pleas in South Carolina written notice of the removal of this action as required by 28 U.S.C. § 1446 (D).

WHEREFORE, Petitioner prays that the above-entitled case be removed to this, the United States District Court for the District of South Carolina, Florence Division.

This the 1st day of April, 2024.

S/SAMUEL F. ARTHUR, III

SAMUEL F. ARTHUR, III

Aiken, Bridges, Elliott, Tyler & Saleeby, P.A.

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ATTORNEYS FOR DEFENDANT

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **NOTICE OF REMOVAL** was filed electronically on April 1, 2024 and is available for viewing and downloading from the ECF system. Notice of Electronic Case Filing has been sent automatically to all parties listed in the Service List in effect on the date of electronic filing, which constitutes service of same and satisfies the requirements of Fed. R. Civ. P. 5(b)(2)(D). The following parties were served via ECF and/or U.S. Mail:

Samantha Albrecht, Esquire
The Lovely Law Firm, Inc.
1053 London Street
Myrtle Beach, SC 29577

S/SAMUEL F. ARTHUR, III
SAMUEL F. ARTHUR, III

Florence, South Carolina

April 1, 2024.

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